

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. El-Amin*, Slip Opinion No. 2011-Ohio-5718.]

NOTICE

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SLIP OPINION NO. 2011-OHIO-5718

THE STATE OF OHIO, APPELLEE, v. EL-AMIN, APPELLANT.

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Discretionary appeal accepted, court of appeals' judgment vacated, and cause remanded for proceedings consistent with State v. Lester.

(No. 2011-1133—Submitted November 2, 2011—Decided November 9, 2011.)

APPEAL from the Court of Appeals for Lucas County, No. L-10-1356,
2011-Ohio-2570.

{¶ 1} The discretionary appeal is accepted.

{¶ 2} The judgment of the court of appeals is vacated and the cause is remanded to the court of appeals for proceedings consistent with *State v. Lester*, ___ Ohio St.3d ___, 2011-Ohio-5204, ___ N.E.2d ___.

O'CONNOR, C.J., and PFEIFER, LUNDBERG STRATTON, O'DONNELL, CUPP, and MCGEE BROWN, JJ., concur.

LANZINGER, J., dissents.

SUPREME COURT OF OHIO

Julia R. Bates, Lucas County Prosecuting Attorney, and Brenda J. Majdalani, Assistant Prosecuting Attorney, for appellee.

Deborah Kovac Rump, for appellant.
